

REMARKS

Claims 4 and 17 have been cancelled. Claims 1-3, 5-16 and 18 and 19 remain pending in the present application. Claims 1, 3, 10, 12, and 18 have been amended. Basis for the amendments can be found throughout the specification, drawings and claims as originally filed.

OBJECTIONS TO THE DRAWINGS

The Examiner has objected to the drawings alleging that the reference numeral 140 for the tabs is incorrect. Applicant draws the Examiner's attention to paragraph [00016] where it indicates that the tabs 140 could be located on the front face or rear face as well as on the main base. Thus, Applicant believes this to be corrected.

REJECTION UNDER 35 U.S.C. §102

The Examiner has rejected Claims 1-3 under 35 U.S. C. §102(b) as being anticipated by Hung. The Examiner alleges that the Hung reference discloses Applicant's invention. Claim 1 has been amended to further define that the motor and associated motor bearings are sealed within a rigid casing creating a liquid impermeable seal enabling the air circulation device to be subjected to liquids while preventing corrosion and damage due to the liquid. The Hung reference relied on by the Examiner fails to disclose or suggest such a feature. Hung discloses a fan for a hair dryer. As can be seen in Figure 3, there is no seal between the motor and motor bearings with the casing. Thus, in Hung, if subjected to liquids, the Hung device would short out and

not perform as claimed by Applicant. Accordingly, the Hung reference fails to disclose or suggest Applicant's invention.

The Examiner has rejected Claims 1, 7-8, 10, 13 and 17 under 35 U.S.C. §102(b) as being anticipated by Raab et al. Claim 1 has been amended as defined above. The Raab et al. reference relied on by the Examiner fails to disclose or suggest such a sealing feature. Nowhere does Raab et al. define the fan motor. In fact, Raab et al. only relates to the spring loaded feet which support the fan housing. Accordingly, Raab et al. fails to discloses or suggest Claim 1. Likewise, Raab et al. fails to disclose or suggest Claims 2, 3 and 5-9 which depend from Claim 1.

Claims 10 has been amended to further define that the elongated support portion is capable of being pivotally disposed and positioned in an extended position, a contracted position, or any desired intermediate position between the extended and contracted positions for providing support of the air circulation device.

The Raab et al. reference relied on by the Examiner fails to disclose or suggest Applicant's invention. Raab et al. discloses a spring loaded support. The spring loaded support is always urged into an extended position. There is no intermediate positions and Raab et al. only has a retracted position when it is positioned in a box. Thus, the Raab et al. device does not teach supporting the fan housing in a retracted and intermediate position as claimed by Applicant. Thus, Applicant believes Claim 10 to be patentably distinct over the art cited by the Examiner. Likewise, Claims 11-16 as well as Claims 18 and 19 which depend from Claim 10 are patentably distinct over the art cited by the Examiner.

REJECTION UNDER 35 U.S.C. §103

The Examiner has rejected Claims 14-16 as being unpatentable over Raab et al.

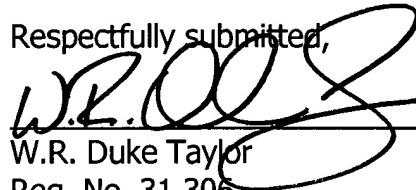
As mentioned above, the Raab et al. reference fails to disclose or suggest independent Claim 10. Likewise, the Raab et al. reference fails to disclose or suggest dependent Claims 14-16.

The Examiner rejects Claims 4-6 under 35 U.S.C. §103 as being unpatentable over Hung. As mentioned above, the Hung reference fails to disclose or suggest Claim 1. Accordingly, Hung would fail to disclose or suggest Claims 4-6.

The Examiner has rejected Claims 11, 12 and 19 under 35 U.S.C. §103 as being unpatentable over Raab et al. in view of the 12V Windmachine by Jade Mountain. As mentioned above, Raab et al. fails to disclose or suggest Applicant's support. The Jade Mountain reference fails to shed light on such features. Accordingly, Applicant believes Claims 11, 12 and 19 to be patentably distinct over the art cited by the Examiner.

In light of the above amendments and remarks, Applicant submits that all pending claims are in a condition for allowance. Accordingly, Applicant respectfully requests the Examiner to pass the case to issue at his earliest possible convenience. Should the Examiner have any questions regarding the present application, he should not hesitate to contact the undersigned at (248) 641-1600.

Respectfully submitted,


W.R. Duke Taylor
Reg. No. 31,306
Attorney for Applicant

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, MI 48303
(248) 641-1600

Date: June 9, 2003
WRDT/lkj

Attorney Docket No. 8416-000008